

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VAUGHN E. JAMES,	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 18-548
	)	
	)	
STEPHEN A. ZAPPALA, et al.,	)	
Respondents.	)	

ORDER

AND NOW, this <sup>15<sup>th</sup></sup> day of August, 2018, after the petitioner, Vaughn E. James, filed a petition for a writ of habeas corpus, and after motions to dismiss were submitted by the Attorney General of Pennsylvania and the District Attorney of Allegheny County, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and upon independent review of the motions, the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 27), which is adopted as the opinion of this Court,

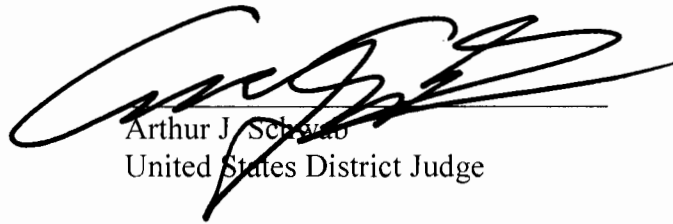
IT IS ORDERED that the motion to dismiss submitted on behalf of the Attorney General of Pennsylvania (ECF No. 8) is granted.

IT IS FURTHER ORDERED that the motion to dismiss submitted on behalf of the District Attorney of Allegheny County (ECF No. 19) is granted.

IT IS FURTHER ORDERED that the petition (ECF No. 4) is dismissed as untimely and, because reasonable jurists could not conclude that a basis for appeal exists, a

certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



Arthur J. Schwab  
United States District Judge

cc: Vaughn E. James  
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